



ADMINISTRATIVE OFFICE

37400 Hills Tech Drive
Farmington Hills, MI 48331-3414
(248) 489-7090, FAX (248) 489-8590
info@ntea.com, www.ntea.com

WASHINGTON OFFICE

1300 19th Street NW, Fifth Floor
Washington, DC 20036-1609
(202) 557-3500, FAX (202) 628-2011

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**THE COMMERCIAL
TRUCK, TRAILER &
TECHNOLOGY EXPO**

MARCH 6 - 8 ORLANDO, FL

Held in conjunction with the 38th Annual NTEA Convention

NHTSA-01-8677-38

March 23, 2001

Docket Management

Room PL-401

400 Seventh Street, SW
Washington, DC 20590

Attn: Docket No. NHTSA 2001-8677; Notice 1

The National Truck Equipment Association (NTEA) submits the following comments in response to the National Highway Traffic Safety Administration's (NHTSA) January 22, 2001 advance notice of proposed rulemaking (ANPRM) on Standards Enforcement and Defect Investigation; Defect and Noncompliance Reports; Record Retention.

The (NTEA) is the nation's only trade association representing distributors and manufacturers of multi-stage produced, work related trucks, truck bodies and equipment. The NTEA also represents various industry-related firms and organizations. The NTEA currently has over 1,600 member companies located throughout the nation. Most NTEA members are small businesses that sell on a local or regional basis.

The average NTEA member is a typical small business, a closely held corporation or independent proprietorship, run by community based management, operating a single facility and employing a small local work force. The average distributor member of the NTEA, the companies that sell and install truck bodies and related equipment (and generally are considered final stage manufacturers, intermediate stage manufacturers or alterers under NHTSA definitions), have been in business some 30 years, have less than \$5 million in annual sales and employ 20 people. The average NTEA manufacturer member, companies that fabricate and occasionally install truck bodies and related equipment, have been in business over 36 years, have \$20 million in annual sales and employ approximately 300 people. Virtually all NTEA distributor and manufacturer members qualify as small businesses for purposes of the Regulatory Flexibility Act.

NTEA member companies produce a wide array of truck body and equipment combinations to fill the needs of the marketplace. Vehicles produced by NTEA member companies for commercial or vocational use include, but are not limited to, fire trucks, ambulances, utility company vehicles, aerial bucket trucks, tow

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trucks, beverage delivery trucks, walk-in vans, digger derricks, dump trucks and snow removal vehicles.

NTEA members are typically equipment manufacturers, intermediate stage manufacturers, final stage manufacturers or alterers. They complete vehicles in limited numbers and in thousands of possible body/equipment configurations. Almost all of the vehicles produced in the U.S. is used in the U.S. Save for a few specific niches, there is very little export of work related trucks. It would not be unreasonable to find a small final stage manufacturer who did not complete any two trucks in an identical manner in a given year. To the extent that a small, final stage manufacturer gets an order for multiple identical truck configurations, it may be for 3 or 4 such trucks.

Scope

The NTEA believes that any proposed rule should consider excluding equipment and accessories that are not integral to the safe operation of a vehicle. For instance, manufacturers should not have to report to NHTSA complaints about the operation of a truck-mounted aerial bucket, which is only used when the vehicle is parked at a jobsite.

The scope of this rule should be limited to equipment that is directly related to the safe operation of the motor vehicle itself.

Reporting

As mentioned earlier, most companies involved in the multi-stage production of work-related trucks are small businesses producing limited numbers of vehicles. These companies should not have to report on a regular basis (i.e. quarterly or monthly), as they will generally not have anything to report. It would not make sense to have NHTSA receiving a thousand reports that report no activity. These companies should only have to report when there is something to report.

The NTEA also believes that a reasonable threshold for reporting should be considered. In the truck equipment industry a final stage manufacturer might only produce one or two per year of any given truck configuration. If they produced two vehicles and received a complaint on one, is this merely a random sample of one, or does it represent 50% of vehicle production? Perhaps a combined minimum percentage and absolute minimum number threshold could be written into the regulation.

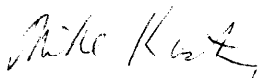
Reporting should only be required for safety related issues, not for consumer complaints of a non-safety related nature. The NTEA supports NHTSA's idea that initially only specified component groups be covered by the reporting requirements.

The NTEA would also suggest that vehicle alterers, intermediate and final stage manufacturers only be required to report on those component groups for which they are responsible, in order to avoid double reporting. For instance, a consumer will go to the incomplete vehicle manufacturer (i.e. Ford, GM, etc. . .) for warranty work or repairs on the steering system of their work-related truck. The consumer is not likely to go to the truck equipment shop that installed their utility body (and who thus happens to be the final stage manufacturer or alterer) for such a repair. The final stage manufacturer or alterer in this case is not likely to even be aware of the consumer complaint and thus should not be responsible for reporting it.

Costs

It is difficult to estimate the costs associated with this rule, as they will be very dependent on the scope of the rule and the reporting thresholds. At it's worst, well over a thousand companies involved in the mutli-stage production of work-related trucks, truck bodies and equipment could be faced with hiring a new employee simply to comply with these reporting requirements. If the scope of the rule is limited to specified vehicle component groups and reporting is only required when reportable incidents occur, most companies will probably not need to hire new staff. In this case, however, companies will be faced with the reallocation of existing staff resources and creation of a new record keeping system.

Sincerely,



Michael Kastner

Director of Government Relations
NTEA Washington, DC Office